

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NICE SYSTEMS, INC. and
NICE SYSTEMS, LTD.,

Plaintiffs,

v.

WITNESS SYSTEMS, INC.

Defendant.

Civil Action No. 06-311-JJF

[PROPOSED] ORDER

The Court, having considered Defendant Witness Systems, Inc.'s Motion for Partial Summary Judgment on Lack of Willful Infringement and its supporting papers, and having considered the parties' arguments with regard to that motion, rules as follows:

Defendant Witness Systems, Inc.'s Motion for Partial Summary Judgment on Lack of Willful Infringement is GRANTED.

IT IS HEREBY ORDERED this ____ day of _____, 2007.

United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of November, 2007, I electronically filed with the Clerk of Court the foregoing **DEFENDANT WITNESS SYSTEMS, INC.'S PROPOSED ORDER REGARDING ITS MOTION FOR PARTIAL SUMMARY JUDGMENT ON LACK OF WILLFUL INFRINGEMENT** using CM/ECF which will send electronic notification of such filing(s) to the below-listed Delaware counsel. In addition, the filing will also be sent via hand delivery.

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I also certify that on November 5, 2007, I have sent by electronic mail and U.S. First Class Mail, the document(s) to the following non-registered participants:

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